

**STATE OF MICHIGAN
DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
INSURANCE BUREAU**

Before the Commissioner of Insurance

**In the matter of the exemption
of certain documents and forms
from filing and approval
requirements**

Order No. 97-010-M

**Issued and entered
this 29th day of January 1997
by D. Joseph Olson
Commissioner of Insurance**

**ORDER EXEMPTING CERTAIN DOCUMENTS
AND FORMS FROM FILING AND APPROVAL REQUIREMENTS**

Some insurance documents and forms must be filed with the Insurance Bureau and approved by the Commissioner of Insurance ("Commissioner") before they may be used in Michigan. However, section 2236(8)(d) of the Insurance, MCL 500.2236(8)(d); MSA 24.12236(8)(d), provides:

...the commissioner by order may exempt from the filing requirements of this section and sections 2242, 3606, and 4430 for so long as he or she considers proper any insurance document or form, except that portion of the document or form that establishes a relationship between group disability insurance and personal protection insurance benefits subject to exclusions or deductibles pursuant to section 3109a, as specified in the order to which this section practicably may not be applied, or the filing and approval of which are considered unnecessary for the protection of the public...

In 1968, Commissioner Dykhouse issued an order exempting several documents and forms from filing and approval requirements pursuant to this section. In 1981, Commissioner Baerwaldt entered a superseding order with an expanded list of exempted documents and forms.

The Bureau has recently completed a thorough review of documents and forms currently being filed under the sections identified above. The following documents and forms should not be exempted from filing and approval requirements:

1. Documents and forms created by a rating organization licensed under section 2436 or 2630 for the use of its members or subscribers in this state.
2. Documents and forms relating to universal life insurance which are to be used by an insurer that has not had a filing for universal life insurance approved in this state since January 10, 1994.
3. Documents and forms relating to automobile insurance which are to be used by an insurer that has not previously had a filing for automobile insurance approved in this state.
4. Documents and forms relating to a certificate of assumption.
5. Documents and forms relating to credit insurance.
6. Documents and forms relating to excess loss insurance to be offered pursuant to MCLA 500.5208; MSA 24.15208.

Documents and forms not listed above are documents and forms to which section 2236 practicably may not be applied or the filing and approval of which are considered unnecessary for the protection of the public. They should be exempted from filing and approval requirements.

Therefore, it is ORDERED that:

1. Documents or forms otherwise subject to the filing and approval requirements of sections 2236, 2242, 3606, and 4430 are exempted from the filing and approval requirements of those sections except the documents and forms listed above and those portions of other documents or forms that establish a relationship between group disability insurance and personal protection insurance benefits subject to exclusions or deductibles pursuant to section 3109a.
2. Each insurer shall keep available all forms currently in use for inspection by, or to be transmitted to, the Commissioner. By June 1 of each year, each insurer shall compile a list of forms and documents which were available for issue in Michigan during the previous year and which are exempted from filing. Forms and documents shall be grouped on the list by type, such as individual life policies, group disability, automobile, homeowners, or commercial multi-peril. Each form and document shall be listed by its title and form number. Each insurer shall indicate the date the form was approved, if it was approved, or the date it was placed into use.
3. Each insurer shall keep a copy of each annual list and the exempted forms and documents for three years.

4. This order supersedes the 1981 exemption order.
5. This order takes effect February 1, 1997, and applies to all filings pending on, and received on or after, that date.

D. Joseph Olson
Commissioner of Insurance

